Service Date: November 10, 2004

## DEPARTMENT OF PUBLIC SERVICE REGULATION BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MONTANA

* * *	* * *	
IN THE MATTER OF the Application of WILDER RESORTS, INC., d/b/a Fairmont Hot Springs Resort, for Increase Rates for Sewer Service	) ) ) ) ) :**	UTILITY DIVISION DOCKET NO. D2003.12.173 ORDER NO. 6569a

### **FINAL ORDER**

### **Background Findings of Fact**

- 1. On December 12, 2003, Wilder Resorts, Inc., (Fairmont) filed with the Commission an Application for authority to increase rates for sewer service supplied to its customers.
- 2. The Montana Consumer Counsel (MCC), Fairmont Estates (FE), and Fairmont Homeowners Association (FHA) intervened in this docket, D2003.12.173.
- 3. A public hearing was held on August 26, 2004. All pre-filed testimony and responses to data requests were admitted into the record. Mary Wright, Esq., representing the MCC presented the terms of a stipulated agreement among Fairmont and the intervenors. No person at the hearing objected to the terms of the stipulated agreement.
- 4. On October 26, 2004, Fairmont filed an executed Stipulation (attached as Exhibit "A") with the Montana Public Service Commission (Commission)

### **Findings of Fact**

- 5. The parties agreed to a revenue requirement of \$21,875. The revenue requirement reflects the MCC developed revenue requirement plus adjustments that reflect the effect of Commission's Final Order 6522a in Commission Docket D2003.10.152, Fairmont's recently concluded general rate case for water service.
  - 6. The revenue requirement should be allocated between customer classes using the

same methodology as was used in Final Order 6522a.

7. The rates for the different customer classes are as follows:

a.	Homeowners	\$11.88 per month
b.	Chalet Complex	\$48.05 per month
c.	Convenience Store	\$11.42 per month
d.	Condominium Complex	\$208.10 per month
e.	RV Park	\$149.69 per month
f.	Fairmont Resort	\$1,096.68 per month

8. The parties agreed that based upon an examination of all aspects of this matter, the Stipulation Agreement is fair and reasonable and in the public interest.

#### **Conclusions of Law**

- 9. Fairmont provides public sewer service within the state of Montana, and as such is a "public utility" within the meaning of § 69-3-101, MCA.
- 10. The Montana Public Service Commission properly exercises jurisdiction over Fairmont's rates and charges pursuant to Title 69, Chapter 3, MCA.

#### Order

### THEREFORE THE MONTANA PUBLIC SERVICE COMMISSION ORDERS THAT:

- 11. Fairmont shall implement rates designed to allow an annual jurisdictional revenue amount of \$21,875.
  - 12. The rates are as stated in the Findings of Fact.
- 13. Fairmont shall adhere to and abide by all Commission Analysis in this order. All rate schedules shall comply with all Commission determinations set forth in this Order.
  - 14. Fairmont must file tariffs in compliance with the Commission Analysis in this Order.
- 15. This Order is effective for service rendered on and after November 4, 2004, and that sewer service for the partial month shall be prorated on a daily basis, based upon the number of days in that month.

DONE IN OPEN SESSION at Helena, Montana on this 4<sup>th</sup> day of November, 2004 by a vote of 5 to 0.

NOTE:

# BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

	BOB ROWE, Chairman
	THOMAS J. SCHNEIDER, Vice Chairman
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	MATT BRAINARD, Commissioner
	WITH I BIGHT WIND, COMMISSIONED
	CDEC IEDCEGON C ' '
	GREG JERGESON, Commissioner
	JAY STOVALL, Commissioner
ATTEST:	
Connie Jones	
Commission Secretary	
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(SEAL)	
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Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. <u>See</u> 38.2.4806, ARM.